

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET															
CR No: 15-2028 WJ				USA vs.: Roybal											
Date: January 19, 2016				Name of Deft: Lawrence Roybal											
Before the Honorable: William P. Johnson															
Time In/Out:		10:14am – 10:54am				Total Time in Court (for JS10):				40 minutes					
Clerk:		R. Garcia				Court Reporter:				M. Loughran					
AUSA:		Raquel Ruiz-Velez				Defendant's Counsel:				Martin Lopez III					
Sentencing in:		Albuquerque, NM				Interpreter:				N/A					
Probation Officer:		C. Chavez				Interpreter Sworn?				Yes		No			
Convicted on:		<input checked="" type="checkbox"/> Plea		<input type="checkbox"/> Verdict		As to:		<input type="checkbox"/> Information		<input checked="" type="checkbox"/> Indictment					
If Plea:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		Adjudged/Found Guilty on Counts:									
If Plea Agreement:		<input type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		<input type="checkbox"/> No Plea Agreement		Comments:							
Date of Plea/Verdict:		9/3/2015		PSR: <input checked="" type="checkbox"/>		<input type="checkbox"/> Not Disputed		<input type="checkbox"/> Disputed		<input checked="" type="checkbox"/> Courts adopts PSR Findings					
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed		<input type="checkbox"/> Needed		Exceptions to PSR:									
SENTENCE IMPOSED				Imprisonment (BOP):				60 months							
Supervised Release:		3 years						Probation:							
REC	<input checked="" type="checkbox"/>	Medical and mental health evaluation (Probation to forward Defendant's medical records to BOP), and 500 Hour Drug Program				BOP Sex Offender Program		Other:							
ICE	<input type="checkbox"/>	Court recommends ICE begin removal proceedings immediately or during service of sentence								<input type="checkbox"/>		ICE not applicable			
SPECIAL CONDITIONS OF SUPERVISION															
	No re-entry without legal authorization								Home confinement for months days						
	Comply with ICE laws and regulation								Community service for months days						
<input checked="" type="checkbox"/>	Participate in/successfully complete a long term inpatient subst abuse treatment program, or if none available, an outpatient subst abuse treatment program.								Reside halfway house months days						
<input checked="" type="checkbox"/>	Participate in/successfully complete mental health program								Register as sex offender						
<input checked="" type="checkbox"/>	Refrain from use/possession of alcohol/intoxicants								Participate in sex offender treatment program						
<input checked="" type="checkbox"/>	Submit to search of person/property								Possess no sexual material						
	No contact direct or indirect contact with victim								No computer with access to online services						
	No entering or loitering near victim's residence								No contact with children under 18 years						
	Provide financial information								No volunteering where children supervised						
	Grant limited waiver of confidentiality								Restricted from occupation with access to children						
	Refrain from use and possession of synthetic cannabinoids, etc.								No loitering within 100 feet of school yards						
	No possession of a firearm, ammunition, destructive device or any other dangerous weapon								Participate in an educational or vocational program approved by the Probation Officer						
<input checked="" type="checkbox"/>	OTHER: <ol style="list-style-type: none"> Deft must cooperate in the collection of DNA, as directed by statute Deft must take his psychotropic medication if prescribed Deft must reside at and complete a program at a Residential Reentry Center for a period of (up to) six months 														
Fine: \$		0.00				Restitution: \$				Applicable, however no claim for restitution has been made by the victim(s) in this case. Therefore, none will be ordered.					
SPA: \$		100.00				Payment Schedule:		<input checked="" type="checkbox"/>		Due Immediately		<input type="checkbox"/> Waived			
OTHER:															
<input checked="" type="checkbox"/>	Advised of Right to Appeal				Waived Appeal Rights per Plea Agreement										

X	Held in Custody		Voluntary Surrender
X	Recommended place(s) of incarceration: BOP Medical facility, or in the alternative, FCI Phoenix (Black Canyon), AZ.		
	Dismissed Counts:		
<p>PSR reviewed w/client; no objections/corrections. Mr. Lopez argues for departure/variance. The Government argues for upward departure/variance. Mr. Lopez replies. Defendant addresses the Court.</p> <p>OTHER COMMENTS: The Court denies the Government's Motion for Upward Departure.</p>			